

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

STATE OF TEXAS, et al.)
v.)
DEPARTMENT OF HOMELAND)
SECURITY., et al.)
Plaintiffs)
Defendants.)
No. 6:23-cv-00007

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO EXCEED WORD LIMIT
FOR RESPONSE TO PLAINTIFFS' MOTION FOR EXTRA-RECORD DISCOVERY**

Defendants respectfully request permission for their Opposition to Plaintiffs' Motion for Extra-Record Discovery to exceed the Court's word limit by up to 2,000 words, making it 7,000 words. Plaintiffs' motion seeks, as the name suggests, extra-record discovery, including merits discovery, in this Administrative Procedure Act case. Plaintiffs attach to their motion their proposed discovery, comprised of fourteen requests for production, fifteen interrogatories and twelve requests to admit. In responding to the Plaintiffs' motion, Defendants must address not only the arguments and law in Plaintiffs' motion, but also address many of the specific discovery demands they propose. In this case of national significance, doing so thoroughly requires additional words. However, to narrow the scope of the parties' disputes, Defendants have set up a meet-and-confer with Plaintiffs' counsel for this afternoon. As a result of that conferral, Defendants may require fewer than 2,000 extra words. Notwithstanding, Defendants seek the 2,000 word limit extension should the Parties be unsuccessful in narrowing their disputes. Accordingly, Defendants seek this enlargement for good cause and in the interest of justice, not

for delay, and no party will be prejudiced if the word limit is increased. Plaintiffs do not oppose the request.

Date: March 30, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

EREZ REUVENI
Assistant Director

BRIAN WARD
Senior Litigation Counsel

/s/ *Elissa Fudim*

Elissa Fudim
Joseph Darrow
Erin Ryan
Trial Attorney
U.S. Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel.: (202) 598-6073
Email: elissa.p.fudim@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on March 30, 2023, I filed this motion through the Court's CM/ECF system, which automatically served it upon all counsel of record.

/s/ Elissa Fudim

CERTIFICATE CONFERENCE

I certify that on March 29, 2023, I conferred with the Plaintiffs' counsel Leif Olson, who informed me that this motion is unopposed.

/s/ Elissa Fudim